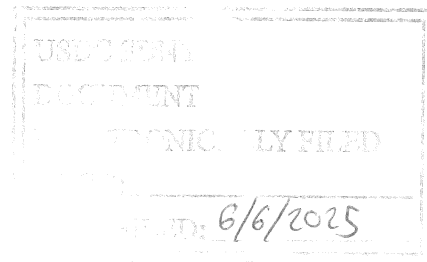




Fairmark Partners, LLP

MEMO ENDORSED

400 7th Street NW | Suite 304
Washington, DC 20004 | <https://fairmarklaw.com>



June 6, 2025

VIA ECF

The Honorable Colleen McMahon
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Plaintiffs' requests, (DKT. Nos. 82+83),
made with Defendants' consent,
are granted.

A handwritten signature in black ink that reads 'Colleen McMahon'.

Re: *The Authors Guild, et al. v. National Endowment for the Humanities, et al.*, No. 25-cv-03923
(consolidated with *Am. Council of Learned Societies v. Michael McDonald*, No. 25-cv-03657)

6/6/2025

Dear Judge McMahon:

Plaintiffs in the *Authors Guild* matter, No. 25-cv-03923, respectfully request leave to file a single 25-page brief that will combine Plaintiffs' opposition to Defendants' motion to dismiss and Plaintiffs' reply in support of their motion for a preliminary injunction. Defendants consent to this request.

On May 14, 2025, the Court entered an order consolidating this case with No. 25-cv-3657 and setting a briefing schedule for Plaintiffs' preliminary injunction motions and any cross motions by the Government. *See* ECF 52 in No. 25-cv-3657. The Court directed the Government to file any cross motions by May 30 and opposition papers to Plaintiffs' preliminary injunction motions by June 5. The Court further directed Plaintiffs to file "[r]eply papers on the preliminary injunction motion(s) AND responses to any cross motions that the Government makes" by June 13. On May 30, the Government filed a motion to dismiss both cases, and on June 5, the Government filed an opposition that addresses the preliminary injunction motions in both cases.

Plaintiffs respectfully request leave to file a 25-page combined opposition to Defendants' motion to dismiss and reply in support of Plaintiffs' motion for preliminary injunction. Under Your Honor's individual rules, Plaintiffs would have 35 pages of total briefing for the two filings: 25 pages for their motion to dismiss opposition and 10 pages for their preliminary injunction reply. Because the arguments Plaintiffs would make in the two filings would substantially overlap, efficiency and judicial economy favor a single, combined 25-page brief.

This request is substantively identical to the request made by the plaintiffs in the consolidated case. The Government would not be prejudiced, as evidenced by their consent.

Respectfully submitted,

/s/ Michael Lieberman

June 6, 2025
Page 2 of 2

Michael Lieberman
FAIRMARK PARTNERS, LLP
400 7th Street, NW, Suite 304
Washington, DC 20004
Tel: 818.585.2903
michael@fairmarklaw.com

cc: Defendants' counsel of record (via ECF)